



Grafton Conservation Commission

GRAFTON MEMORIAL MUNICIPAL CENTER

30 PROVIDENCE ROAD

GRAFTON, MASSACHUSETTS 01519

Phone: (508) 839-5335 ext. 1138 • FAX: (508) 839-4602

www.grafton-ma.gov • concom@grafton-ma.gov

Minutes of the June 21, 2016 Meeting at 7:00 p.m.

A meeting of the Grafton Conservation Commission was held in Conference Room F of the Grafton Municipal Center on June 21, 2016. Present were: Chairperson Sandra Brock, Peter Finn, Heather Trudell, Scott Conway, Conservation Agent Maria Mast, and Conservation Assistant Leah Cameron.

Chairperson Sandra Brock opened the public meeting at 7:10 p.m.

Discussion Item: Notice of Violation – 15 Morgan Drive – Mr. and Mrs. Bhan of 15 Morgan Drive discussed a violation notice they received for cutting vegetation within resource areas. They said that they were not aware of the wetland resource areas and were trying to solve a wasp problem. Co-Chairperson Sandra Brock said that cutting vegetation within resource areas is not allowed under the Massachusetts Wetlands Protection Act or the Grafton Wetlands Protection Bylaw. She recommended the guidance of a consultant to establish the wetland boundary. Heather Trudell made a motion, seconded by Peter Finn, to issue an Enforcement Order for 15 Morgan Drive with the following special conditions: previously cut brush that was stockpiled in the wetlands shall be removed, the wetland edge shall be allowed to re-establish itself, and no further dumping shall occur in the resource areas. The motion carried unanimously.

Request for Determination of Applicability – 67 Sunrise Avenue – The applicants, John and Candice Lefebvre, proposed the construction of an addition within a riverfront area and requested that the Commission determine whether the area and/or the proposed work were subject to the Massachusetts Wetlands Protection Act and/or the Grafton Wetlands Protection Bylaw. The addition is being built on the street side of the house, away from the riverfront area. Co-Chairperson Sandra Brock pointed out that the area was already disturbed and the drainage already pitches toward the road. There were no comments from the audience. Heather Trudell made a motion, seconded by Peter Finn, to issue a negative determination for 67 Sunrise Avenue with the following special conditions: any stockpiling shall occur in front of the house, stockpiles shall be controlled, and downspouts shall be directed toward vegetated areas. The motion carried unanimously.

Request for Determination of Applicability – Eversource Natural Gas Pipeline ROW – The applicant, Matthew Waldrup, proposed the installation of 11,680 linear feet of natural gas pipe within resource areas and requested that the Commission determine whether the area and/or the proposed work were subject to the Massachusetts Wetlands Protection Act and/or the Grafton Wetlands Protection Bylaw. Michelle Simoneaux of GZA presented the project to the Commission. Co-Chairperson Sandra Brock disclosed that her company works with GZA but they have no contractual or monetary relationships. The proposed installation will bring natural gas to North Grafton Estates. It is considered a minor project under the Massachusetts Wetlands Protection Act, but they are filing under the Grafton Wetlands Protection Bylaw. Crossings will occur over culverts without hydrologic interruptions. The plans are on file with the Natural Heritage & Endangered Species Program (NHESP). Matthew Waldrup, the applicant, arrived late. He said that they are also filing with Grafton's DPW for a street opening permit. Darlene and Dan Kuzmak of 7 Bridle Ridge Drive expressed concerns over the location of the pipe interfering with sidewalks and recently repaved roads. The Commission directed them to the DPW for their concerns. Heather Trudell made a motion, seconded by Peter Finn, to issue a negative determination for the Eversource Natural Gas Pipeline ROW with the special condition that the Conservation Agent shall inspect the erosion control prior to construction. The motion carried unanimously.

Request for Determination of Applicability – Grafton & Upton Railroad ROW – The applicant, the Grafton & Upton Railroad, proposed vegetation management and requested that the Commission determine

RECEIVED TOWN CLERK
GRAFTON, MA
2016 JUL 21 PM 1:11

whether the boundaries of the resource areas on the plans were accurately delineated. Tom Lewis of TEC Associates presented the project to the Commission. There are wetland resource areas and water supply resource areas on site. There are areas designated as no spray areas, as well as areas to only spray once every two years. They do not spray closer than ten feet to a wetland and they only spray once a year in the buffer zone with sensitive area specific materials. In practice, these sensitive area specific materials are used everywhere except no spray zones. There were no comments from the audience. Heather Trudell made a motion, seconded by Peter Finn, to issue a positive determination to confirm the accuracy of the boundary delineation and a negative determination for the work being exempt from regulation under 310 CMR 10.03(6)(b) and 310 CMR 10.58(6)(a). The motion carried unanimously.

Application for Stormwater Management Bylaw Permit #16-3 – 53 Willard Street – Tufts Equine Arena (Assessor's Map 21, Lot 1A) (Tufts University) – The applicant, Tufts University, proposed the construction of an equine sports medicine facility, parking lots, and a surface infiltration drainage basin. Co-Chairperson Sandra Brock explained that her company works for Tufts and therefore, she recused herself. Jean Poteete and Jack McDonald from Tufts presented the project to the Commission. An existing erosion issue will be addressed. A waiver was requested to use two foot contours on the plans instead of the required one foot contours. Graves Engineering, Inc., the Commission's consultant, found this to be a reasonable request. The Commission requested a copy of the revised plans which contain minor changes from those that were originally submitted. Dewatering will occur in up-gradient areas surrounded by erosion control. The Conservation Agent stated that she had no issues with the use of hay bales instead of straw bales because the basin discharges to a hay field. There were no comments from the audience. Peter Finn made a motion, seconded by Heather Trudell, to issue the waiver that was requested. The motion carried unanimously. Heather Trudell made a motion, seconded by Peter Finn, to issue the Stormwater Management Bylaw Permit for 53 Willard Street. Scott Conway was in agreement. Co-Chairperson Sandra Brock abstained.

DEP File #164-916 Notice of Intent / WP #749 Application for Grafton Wetlands Protection Bylaw Permit – 121 North Street (Assessor's Map 38, Lot 11) – The applicant, Ralph J. Deady, proposed the demolition of an existing house and construction of a new single family house within resource areas. Peter Finn explained that he was a notified abutter and therefore, he recused himself. Mark Farrell of Green Hill Engineering presented the project to the Commission. An intermittent stream is present on site, as determined from USGS. There were no comments from the audience. At the applicant's request, Heather Trudell made a motion, seconded by Scott Conway, to continue the public hearing for 121 North Street to July 5, 2016, pending receipt of the revised plans and a determination of the wording and location for resource area signage. Co-Chairperson Sandra Brock was in agreement. Peter Finn abstained.

DEP File #164-918 Notice of Intent / WP #751 Application for Grafton Wetlands Protection Bylaw Permit / SW #16-2 Application for Grafton Stormwater Management Bylaw Permit – 103 Worcester Street (Assessor's Map 46, Lot 19) (Continuation) – The applicants, Marc and Tina Theroux, proposed the construction of a commercial building and parking lot within a riverfront area. Norman Hill of Land Planning, Inc. presented the project to the Commission. He gave his condolences and recognized the late John Wilson, saying no one knew more about the wetlands in town than he did. The project now includes an area of tree clearing, bringing the net impervious riverfront alteration to 11%. Norman Hill stated that he believes that the project meets the four criteria necessary in order for the Commission to allow greater than 10% alteration. The Conservation Agent pointed out that the most recent plan revision changes the limit of work so that it encroaches on the riverfront area and does not seem feasible because it is only proposed five feet away from the building. Norman Hill said that they are willing to plant two trees for every tree that must be cut down. He also said that all revisions have been submitted to DEP. The Commission was in agreement to approve the previous revision of plans, dated 6/13/16 with a feasible limit of work line, rather than the revision currently before them, dated 6/22/16. The Commission discussed the following special conditions: a pre-construction kick off meeting shall be scheduled, temporary chain link fencing erosion control shall be utilized on the slope, the infiltration system shall be tested after installation, no-disturb 100' riverfront area signs shall be installed, and the

Commission will outline restrictions for salting the parking lot in the winter. The Commission asked for a revised Notice of Intent reflecting the new calculations and an estimate for the stormwater structure and erosion control for a surety bond. Peter Finn made a motion, seconded by Heather Trudell, to grant the requested waiver to exceed the 10% riverfront alteration for this particular project. The motion carried unanimously. The Commission will write a finding as to why they are approving this for this project. There were no comments from the audience. Heather Trudell made a motion, seconded by Peter Finn, to continue the public hearing for 103 Worcester Street to July 5, 2016 at the applicant's request. The motion carried unanimously.

Notice of Intent #164-915 / Application for Grafton Wetlands Protection Bylaw Permit #748 / Application for Grafton Stormwater Management Bylaw Permit #16-1 – Grafton Hill Subdivision (Assessor's Map 47, Lot 48) (Continuation) – The applicant, Westerly Side Grafton LLC, proposed the construction of a 23 lot subdivision within the buffer zone to resource areas. The applicant submitted an email to the Commission dated 6/21/2016 from Scott Goddard explaining that Art Allen of EcoTec, Inc. verified the flagged wetlands and how the project shall proceed. There were no comments from the audience. Heather Trudell made a motion, seconded by Peter Finn, to continue the public hearing for Grafton Hill Subdivision to July 5, 2016 at the applicant's request. The motion carried unanimously.

DEP File #164-917 Notice of Intent / WP #750 Application for Grafton Wetlands Protection Bylaw Permit – 88 Westborough Road (Assessor's Map 12, Lot 12) (Continuation) – The applicant proposed the construction of an addition and the installation of stormwater control devices within the buffer zone to resource areas. Peter Finn made a motion, seconded by Heather Trudell, to continue the public hearing for 88 Westborough Road to July 5, 2016 at the applicant's request. The motion carried unanimously.

Discussion Item: Brookmeadow Village wildlife corridors status – The Commission discussed the status of the wildlife corridors in Brookmeadow Village with Normand Gamache of Guerriere & Halnon, Inc. He said that the corridor between lots 34 and 35 did not have to be lowered and was therefore completed. An additional corridor was also completed earlier that day. The Conservation Agent explained that she had inspected the corridors and sent a letter reporting her findings. She will inspect the additional corridors that are now completed. The plantings have been fine-tuned according to the specifications in the approved planting plan and the corridors will be seeded. The work was completed shortly after the May 30, 2016 deadline. The Conservation Agent mentioned that the signs demarking the corridors need to be metal and need to be installed on metal posts, prior to the issuance of a Certificate of Compliance. Scott Conway asked if additional leaf litter is needed in the corridors. The Commission determined that this will only be necessary if erosion issues occur, otherwise, sparse leaf litter will allow the seed mix to become established. The corridors will be monitored going forward for their migration potential for wildlife. Scott Conway mentioned that the trails have been interrupted by recently installed fencing around the detention basins. Normand Gamache said that he will look into this issue and how to resolve it.

June 7, 2016 Meeting Minutes – Peter Finn made a motion, seconded by Heather Trudell, to accept the June 7, 2016 meeting minutes as drafted. Co-Chairperson Sandra Brock was in agreement. Scott Conway was absent and thus abstained.

DEP File #164-602 / WP #449 – High Point Estates – Request for minor change – The applicant requested a minor change to eliminate the installation of fencing around the detention basins. The Conservation Agent reported that the basins are not wet and are not steep. Graves Engineering, Inc. did not have any concerns about this minor change. The fencing poses a potential impediment to wildlife. Co-Chairperson Sandra Brock deferred to the owner to determine whether the change poses a safety issue and to the Grafton Department of Public Works for their opinion since the basin will be taken over by the town.

Discussion Item: Filing Deadline Policy – The Commission reviewed a drafted filing deadline policy to require any additional materials requested by the Commission or its staff to be submitted at least five business

days prior to the scheduled meeting date in order to allow time for review by staff and if applicable, consultants. Peter Finn made a motion, seconded by Heather Trudell, to accept the filing deadline policy. The motion carried unanimously. The signed policy will be posted on the Commission webpage.

Discussion Item: Letter to John Wilson's Family – The Commission reviewed a drafted letter to John Wilson's family recognizing his years of service to the town. The Commission was in agreement that the letter expressed their sentiments. The Commission signed the letter. It will be sent to the Wilson family.

Discussion Item: Creation of Additional Trail at Hassanamesit Woods – An abutter to the Hassanamesit Woods property has volunteered to create trails in the northern part of the property and an additional access point for the property. The Conservation Agent reported that she could not find any language in either the Conservation Restriction or the Historical Preservation Restriction prohibiting such activities. The Commission was open to the idea, but would like a formal Notice of Intent to be filed so that a public hearing can be held with all the notified abutters present and the Commission can determine whether the proposal fits into the existing plans for the property.

Discussion Item: Henessey II – 48 Old Westboro Road – Peter Finn mentioned that he would still like to pursue obtaining a Conservation Restriction on the Henessey II property and asked the Conservation Agent to inquire about the process for doing so.

Peter Finn made a motion, seconded by Heather Trudell, to adjourn the meeting at 10:07 p.m. The motion carried unanimously.

The following items were postponed to the July 5, 2016 meeting:

Requests for Certificates of Compliance:

- DEP File #164-602 / WP #449 – High Point Estates
- DEP File #164-610 / WP #457 – High Point Estates Restoration
- DEP File #164-611 / WP #458 – High Point Estates Off-Site
- DEP File #164-656 / WP #501 – 96 High Point Drive, Lot 2
- DEP File #164-658 / WP #503 – 92 High Point Drive, Lot 4
- DEP File #164-681 / WP #526 – 88 High Point Drive, Lot 6
- DEP File #164-743 / WP #583 – 84 High Point Drive, Lot 8
- DEP File #164-850 / WP #685 – 78 High Point Drive, Lot 11
- DEP File #164-742 / WP #582 – 54 High Point Drive, Lot 24
- WP #637 – 46 High Point Drive, Lot 26

Documents discussed located in the Conservation Commission office:

Violation Notice & Enforcement Order for 15 Morgan Drive
Requests for Determinations of Applicability & Determinations of Applicability for: 67 Sunrise Ave, Eversource Natural Gas Pipeline ROW, G&U RR ROW
Application for Stormwater Management Bylaw Permit #16-3 & Stormwater Management Bylaw Permit #16-3
Notices of Intent & Applications for Grafton Wetlands Protection Bylaw Permits for: 121 North Street, 88 Westborough Road
Notices of Intent, Applications for Grafton Wetlands Protection Bylaw Permits, Applications for Grafton Stormwater Management Permits for: 103 Worcester Street & Grafton Hill Subdivision
Conservation Agent letter re: Brookmeadow Village wildlife corridors dated 6/9/2016
June 7, 2016 meeting minutes
Request for Minor Change for High Point Estates
Filing Deadline Policy
Letter from Commission to Wilson Family dated 6/17/2016
Requests for Certificates of Compliance for: High Point Estates, High Point Estates Restoration, High Point Estates Off-Site, 96, 92, 88, 84, 78, 54, 46 High Point Dr
Agent's Report to the Commissioners dated June 21, 2016

Minutes drafted by Leah Cameron

Approved on July 19, 2016